

***United States Court of Appeals
for the Second Circuit***



**PETITIONER'S
REPLY BRIEF**

74-2480

B
P/S

REPLY BRIEF FOR PETITIONERS
IN THE
UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

No. 74-2480

The City of Groton; Borough of Jewett
City; Second Taxing District City of
Norwalk; Third Taxing District, City
of Norwalk; City of Norwich; Town of
Wallingford; and the Connecticut
Municipal Gas and Electric Association,

Petitioners,

v.

Federal Power Commission,

Respondent,

Connecticut Light & Power Company,

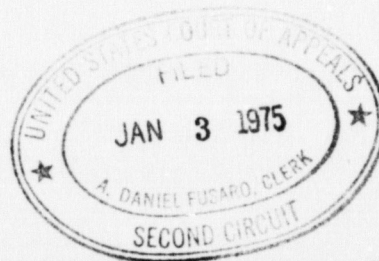
Intervenor.

On Petition To Review Orders
Of The Federal Power Commission

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January 3, 1975



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The City of Groton, et al.
Petitioners,

v.

Federal Power Commission,
Respondent,

Connecticut Light & Power Company,
Intervenor.

On Petition To Review Orders of the
Federal Power Commission

REPLY BRIEF FOR PETITIONERS

INTRODUCTION

This reply brief is submitted by Petitioners in response to the points raised in the brief of the respondent Federal Power Commission ("Commission") to the extent that they were not already fully treated in Petitioners' initial brief to this Court.^{1/}

^{1/} At the time of this submittal, January 3, 1975, the Petitioners had not received a brief from the Intervenor, the Connecticut Light and Power Company ("CL&P" or "Company").

I. THE DECISION TO SUSPEND CL&P'S RATE FILING FOR ONE DAY IS REVIEWABLE BY THIS COURT

A. The Commission Has Ignored The Relevant Authorities Supporting The Reviewability Of The Commission's Suspension Orders.

Respondent has failed to address the real issue concerning suspension authority in the instant case. By ignoring Leedom v. Kyne, 358 U.S. 184 (1958) and the cases cited in Petitioners' Initial Brief, p. 37 et seq., it has failed to refute Petitioners' clear demonstration of the fact that the Commission has violated the specific statutory provisions and extensive legislative history of Section 205(e). It is established that this legislative history must be examined in any determination of the full import of a statutory command. International Association of Tool Craftsmen v. Leedom, 276 F.2d 514, 516 (D.C. Cir. 1960); see also Heikkila v. Barber, 345 U.S. 229, 232-233 (1952).

The Commission has decided not to consider the problems which will best consumers such as Petitioners as the result of rate changes filed by their wholesale energy suppliers in formulating periods of rate suspension. Rather, as Chairman Nassikas has stated (J.A. 12, and Exhibits C and D to Petitioners' Initial Brief), as Commissioner Smith has noted in his dissent of September 27, 1974 (J.A. p. 82), and as the comparison of earlier to present suspension orders

graphically bears out (Petitioners' Initial Brief, pp. 25, 26), the Commission has embarked upon a new and illegal policy of automatic one-day suspensions.

Respondent's faith in Municipal Light Boards of Reading and Wakefield, Mass. v. FPC, 450 F.2d 1341 (D.C. Cir. 1971) is misplaced, for that decision expressly recognizes Leedom as an exception to its holding, in cases such as the instant one where "the suspension action taken or declined by the agency, is ... in defiance of a 'clear and mandatory' statutory command ... 450 F.2d at 1352.

In Arrow Transportation Co. v. Southern Railway Co., 372 U.S. 658 (1963), the Court dealt not with the Leedom problem of statutory interpretation, but with the regulatory difficulties which would be created by a court extending the statutory parameters of agency suspension authority or by second guessing the agency's exercise of such authority in the manner intended by Congress. The treatment in Arrow afforded the legislative history underlying the analogue suspension provision of the Interstate Commerce Act is fully consonant with the position which Petitioners here express. Further, the Court in Reading and Wakefield relied upon Arrow as it noted the Leedom exception to its holding.

In both United States v. Students Challenging Regulatory Agency Procedures (SCRAP), 412 U.S. 669 (1973); and Port of New York Authority v. United States, 451 F.2d 783 (2d Cir. 1971), the issue of an agency's noncompliance with

its consumer protective suspension mandate was not raised, for in neither case were the complaining parties imposed with charges untested rates. Each case involved the interaction between agency suspension authority and Section 102(2)(c) of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4332(2)(c). Indeed, the court in Port of New York Authority found that a suspension proceeding was not the proper vehicle for effectuating the complex purposes of NEPA.

In contrast to Port of New York Authority, Petitioners would recommend to this Court the decision of Judge Friendly in Long Island Rail Road Co. v. United States, 1973 F.Supp. 795 (E.D.N.Y. 1961). Therein, at 799-800, Leedom v. Kyne is expressly recognized for the proposition that a suit to enjoin an order made in violation of "a clear statutory command" will be entertained.

B. The Commission In Its Attempt To Justify
Its Orders, Has Ignored Both Congressional
Intent And Relevant Commission Precedent.

Respondent's statement that we have modified our original position on Commission suspension authority (Resp. Brief p.16) reveals a basic misunderstanding of Petitioners' consistently held views. Unlike the Commission, whose policy of automatic one-day suspensions would hold any showing of irreparable injury, which consumers such as Petitioners might present for consideration, irrelevant to the determination of suspension period, Petitioners suggest no such doctrinaire formula. Instead, they believe that Section 205(e) of the Federal Power Act, and its legislative history which Respondent has ignored, mandate that the Commission in all instances establish suspension periods which will best protect the consumer from untested rates, and that it be prepared to utilize periods up to and including the full five months authorized, whenever necessary. If, after careful analysis of the statements of parties and of the Staff, it is determined that the consumer will adequately be protected by a shorter period of suspension, a five-month period would not be necessary. However, a one-day suspension is not the only alternative to a full five months.

As Commissioner Smith has noted in his dissent to the Commission's Order of September 27, 1974 (J.A. p. 82) this analysis of the contentions of the parties and of the Staff

did not occur as the Commission established a nominal, one-day suspension in its Order of August 30, 1974.

The Cities believe, consistent with the dissent of Commissioner Smith, that if full consideration is given by the Commission to all the facts put forth by the Cities, a full five-month suspension will be shown warranted. However, the Cities also recognize the limitations of this Court to invade the fact finding function of the Commission and, therefore, has asked this Court to compel the Commission to exercise its discretion re suspension in accordance with the clear intent of Congress.

Respondent places undue reliance upon its belief that the Commission is empowered "to balance the interests of the electric utility company on the one hand and consumers on the other," de novo as it derives a period of suspension (Resp. Br. p. 19). To the contrary, the legislative history is clear that unless strong equitable considerations^{1/} are shown to justify deviation therefrom, Congress had established the "balance" in the five month period and Congress intended that problems facing wholesale consumers re rate adjustments be given nearly unfettered attention during the five months in which suspension could be had.

^{1/} See Yucca Petroleum, discussed infra.

The Commission itself has recently provided a statement of the purpose of Section 4(e), the analogue suspension provision of the Natural Gas Act, consistent with Cities' contentions:

The suspension provision in Section 4(e) of the Natural Gas Act is intended by Congress to protect consumers from increased rates until the Commission would fix just and reasonable rates but Congress considered that a period of five months would be the maximum time permitted. Hunt Oil Co. v. F.P.C., 398 F.2d 746, (CA5, 1968). It tends to balance the natural gas company's freedom to file rate increases (subject, of course, to refund) that may turn out to be in excess of a just and reasonable rate. When the rate increase goes into effect after the five months, the customers must pay the new rate until the Commission makes a final decision, which usually takes a considerably longer period. 1/

In other words, the balance pivots on the five month point, optimally with the consumer fully protected from untested rates during that five months (or a portion thereof which will provide sufficient insulation from the effects of the rate), yet subject thereafter to charges under the increased rate through out the indefinite, although assuredly lengthy, period during which the Commission conducts a hearing and renders its final decision thereon. The Commission has long held this view of its suspension responsibility. In Yucca Petroleum Company, 29 F.P.C. 211, 212(1963), it stated:

1/ Order Denying Reconsideration of Suspension Order and Accepting Interim Tariff Sheets, Transcontinental Gas Pipe Line Corp., Docket Nos. RP74-48 and RP75-3, slip opinion at 3-4 (October 11, 1974).

In our view, a lesser suspension period than the five month suspension period permitted under Section 4(e) of the Natural Gas Act should not be authorized except in those instances when strong equitable considerations dictate that a shortened suspension period is warranted. Such considerations are not involved here. The mere fact that Yucca under its contract could have filed for the subject rate increase at an earlier date, but failed to do so, does not warrant a shortening of the suspension period herein

In the instant case, there has been no showing of the "strong equitable considerations" which might warrant a shorter period of suspension.^{1/}

Any regulatory lag in rate changes resulting from exercise of the Commission's suspension power has been held to be a necessary incident to the determination of the propriety of the rates of regulated monopolists, "so long as the period of suspension does not 'overpass the bounds of reason.'" The five month period of suspension authorized by Section 205(e) has been held to be reasonable in light of the correlative regulatory lag which works to the detriment of consumers in complaint proceedings initiated under Section 206(a) of the Act where the Commission is powerless to order refunds of excess revenues collected under rates found to be unreasonably high, unduly discriminatory, or preferential. A decision of the Commission, rendered in

^{1/} See also, Hope Natural Gas Co., 8 F.P.C. 1290 (1949).

a Section 206 proceeding may have prospective effect only.^{1/} Thus, one notes that a balance has been drawn not only within the confines of Section 205(e) but also as regards the reciprocal operation of Section 206(a), a balance which certainly cannot be said to favor the consumers,-- under Section 205(e) the proponent of a rate later upheld by the Commission is in all instances allowed to implement said rate after the lapse of five months regardless of the length of the proceeding, however, the consumer who complains of a rate later found unjust pursuant to Section 206(a) must await conclusion of the hearing for relief. Clearly any attempt by the Federal Power Commission to subvert the consumer protective policy underlying its suspension authority to the goal of minimizing regulatory lag for suppliers of electric energy would destroy the balance of interests inherent in these provisions of the Federal Power Act, and in so doing violate statutory command that it exercise its suspension power in the consumer interest.^{2/}

^{1/} Hope Natural Gas v. FPC, *supra*, at 808-809.

^{2/} Hunt Oil Co. v. FPC, 398 F.2d 746, 750 (5th Cir. 1968). On the Commission's mandate to protect the consumer interest, see FPC v. Hunt, *et al.*, 36 U.S. 515(1964); FPC v. Tennessee Gas Transmission Co., 371 U.S. 145(1962); Atlantic Refining Co. v. Public Service Commission of New York, 360 U.S. 378 (1959).

Respondent has continuously ignored factors which do not bear out its interpretation of the facts in the instant proceeding. In referencing that portion of Chairman Nassikas' prepared remarks of September 11, 1974 before state and federal officials dealing with the Commission's recent policy of granting one-day suspensions,^{1/} it neglected to deal with the impromptu comments made by the Chairman thereafter. In departure from past practice when suspensions of up to five months in duration were automatically granted, the Chairman reportedly stated that:

[t]he agency recently has suspended the increases for only one day, then letting utilities immediately put into effect the higher rates they want, but subject to any refunds the agency may order. Mr. Nassikas suggested that state regulators use the same approach.^{2/}

What is the "approach" if not a policy of automatic one-day suspensions? Could the Chairman have been suggesting that state regulators give individual consideration to the facts of each rate case, including those which inure to the detriment of consumers such as Petitioners, and then suspend all such rate increases for only one day? Certainly not, yet Respondent now chooses to ignore the impromptu, and more revealing, portion of Chairman Nassikas' earlier statements on one-day suspensions.

^{1/} J.A. p. 72

^{2/} Petitioners' Initial Brief of December 13, 1974, Exhibit C.

Furthermore, Respondent makes no reference to Petitioners' tally of suspensions ordered over the past two years which show an abrupt diminishment in length about the time of Chairman Nassikas^{1/} above-cited remarks. Commencing in August of 1974, and continuing thereafter, suspension periods of only one day have been the rule in contrast to the earlier practice of protecting wholesale consumers of electric energy from untested rates for periods often reaching a full five months in length.

In this case, actual Commission practice complements the statements of its Chairman, as fully reported, to demonstrate a newly adopted policy of one-day suspensions.

Respondent has touted the power of the Commission to order refunds as the regulatory device which assures adequate protection of consumers. In response, Petitioners would first note that the loss of potential industrial and commercial customers and the inability to procure alternative sources of energy from other suppliers under reasonable conditions, both consequences of the R-2 rate, are not subject to adequate recompense via any refund provision. The extent of such injuries has been graphically demonstrated both in Petitioners' Initial Brief and in their earlier Motion for Stay.

^{1/} Petitioners' Initial Brief of December 13, 1974, at 25, fn. 2.

As regards the charges found to be in excess of reasonable levels for which refund might be expected to compensate as Congress was aware at the time suspension authority was enacted that such refunds were insufficient as a method of making consumers whole. Indeed, if refunds were an adequate remedy, there would have been no need to provide for a period of suspension.

Such shortcomings are graphically demonstrated by the Commission's attempt in the instant proceeding to order interim refunds of amounts which it thought would be owed to Petitioners following approval of the CL&P substitute R-2 fuel clause by Order of November 29, 1974. It should be recalled that by Order of August 30, 1974, the Commission found the original R-2 fuel clause to be in contravention of Commission Regulation and Opinion No. 633, because it imputed Company fuel cost variations to purchased and interchange energy. Instead of suspending the entire R-2 rate for the period necessary to purge therefrom all such imputed costs, the Commission chose to suspend for the wholly ineffective period of one-day. Thereafter, CL&P conceded that the Commission's directive that it revise the fuel clause portion, without coordinate elimination of such costs from the R-2 rate, would necessarily result in "inconsistencies" would produce fuel cost overcharges which they would be forced

to pay. The Commission chose to approve the substitute fuel clause, make it retroactively effective, and order interim refunds of amounts which it apparently assumed would be owed to Petitioners because of the exclusion of imputed costs from the fuel clause portion of the rate.

What followed is a striking example of the results which can flow from the Commission's abnegation of its regulatory responsibility, here the protection of consumers through use of its suspension authority. CL&P has already informed Petitioners that no interim refunds are due. Instead, as Petitioners predicted, and as the Company's latest projections of revenues under the revised R-2 rate demonstrate, the Commission's "interim refund" order is a misnomer, for the Cities will be required to pay increased charges -- greater than those which the Company originally requested -- not because of any decision that an increased rate was warranted, but because the Commission failed to realize that the mismatch base costs of fuel in the R-2 rate and the R-2 fuel clause would produce the illogical result which Petitioners had briefed at length. During the five months in which suspension could be ordered, September 1974 through January 1975 alone, the Order of November 29, 1974, will result in increased costs to Petitioners under the R-2 rate aggregating

\$300,568.^{1/}

The Commission chose to ignore these serious problems faced by Petitioners in fashioning a suspension period which would minimize regulatory lag for the supplier utility. Instead of suspending the entire R-2 rate for a period sufficient to allow for complete elimination of imputed costs therefrom, the Commission allowed the R-2 rate to go into effect resulting in immediate overcharges to Petitioners due to the illegal recovery of imputed fuel costs. The ersatz remedy thereafter attempted by the Commission, that of "interim refund" following hurried and cursory redesign of the fuel clause, has produced a rate increase, instead of the intended recompense, an absurd, unjust result for Petitioners which exposes the shortsightedness of the Commission's attempt to circumvent its responsibility to suspend rate increases so to adequately protect the consumer.

^{1/} City of Groton, \$110,883; Jewett City, \$3,891; Second Taxing District of Norwalk, \$17,661; Third Taxing District of Norwalk, \$11,302; Norwich, \$60,326; Wallingford, \$96,505. These figures are taken from CL&P's own statements of projected revenues under the original R-2 rate filing of August 2, 1974, and under the rate as modified by the substitute fuel clause of September 30, 1974. Compare the "Fuel Revenue" columns on each of the pages of Exhibit B to the increased amounts shown in the counterpart "Fuel Revenue" columns on the pages of Exhibit C.

II. THE COMMISSION HAS NOT DISPROVEN CITIES' CONTENTION THAT THERE IS AN ERROR ON THE FACE OF THE RECORD AS EVIDENCED BY THE ERROR IN THE CITED RATE OF RETURN IN THE COMMISSION'S AUGUST 30, 1974, ORDER

In Municipal Light Board v. FPC, 450 F.2d at p. 1352, the Court singles out as reviewable error re a suspension order, a situation in which there is an error apparent on the face of the papers. Such an error is evidenced in the Commission's August 30 Order. Petitioners' response to discovery of this error was to petition for rehearing and clarification. In response to this pleading, the Commission branded the error as typographical and dismissed it. However, as Cities have repeatedly contended (Petitioners' Brief at pp. 35-36, 45-46) in light of the inconsistencies in the Commission's orders in this docket and the dissent of Commissioner Smith to the effect that the Commission had not appraised the contentions of all the parties and its staff in entering its orders of August 30 and September 27, the Cities considered it essential that they attempt to utilize the offices of the Freedom of Information Act as incorporated in the Commission's Rules to procure the minutes relating to the August 30 Order and the draft order to determine whether there indeed was a typographical error. The Commission replied, as stated in our initial brief cited above, that the minutes merely reflected final action and vote and that, therefore, a copy of the order as published would be all that would be available

to Cities and that is all that has been furnished.

In its brief to this Court, the Commission does not address itself to the substantive arguments made by Cities relating to the data requested by Cities. The contention of the Commission is that if the Cities cannot prove that the Commission did commit an error, the Cities' arguments re error must be ignored. Thus, the Commission claims the benefit of withholding the information, which is within its sole control, from the Cities.

Cities have not requested perusal of internal memorandum which are exempt from disclosure under the Freedom of Information Act.^{1/} Rather, Cities have sought and continue to seek to discover factual material relating to the alleged typographical error which does not come within the purview of the inter, intra-agency memorandum exception,^{2/} and the burden of justifying the withholding of these records lies with the Commission.^{3/} Unless and until the Commission discharges this burden, it must be presumed that there is in fact an error on the face of the papers in this proceeding related to the Commission's suspension order which is reviewable by this Court.

^{1/} See *International Paper Co. v. Federal Power Commission*, 438 F.2d 1349 (2d Cir. 1971) cert denied, 404 U.S. 827.

^{2/} See e.g., *EPA v. Mink*, 410 U.S. 73, 91 (1973), *Ethyl Corp. v. EPA*, 478 F.2d 47 (6th Cir. 1973); *Souci v. David*, 448 F.2d 1067 (D.C. Cir. 1971); *Long v. United States Internal Revenue Service*, 349 F.Supp. 871 (D.Wash. 1972); *Legal Aid Society v. Shultz*, 349 F.Supp. 771 (D.Calif. 1972).

^{3/} See *Benson v. ESA*, 389 F.Supp. 590 (D.Wash. 1968) aff'd, 415 F.2d 878 (9th Cir. 1969).

III THE ISSUE OF THE COMMISSION'S FAILURE TO REJECT
CL&P'S FUEL CLAUSE IS PROPERLY BEFORE THIS COURT

A. Cities' Petition For Rehearing Of The
Commission's Order of September 27, 1974
Placed The Issue Of The Commission's Error
In Failing To Reject CL&P's Fuel Adjustment
Clause Before This Court.

Cities' petition for rehearing of the Commission's Order of September 27, 1974, filed with the Commission on October 11, 1974, (J.A. 87 et seq) raised the issue of the propriety of the Commission's failure to reject CL&P's fuel adjustment clause sua sponte:

It is contrary to the Commission precedent to permit an admittedly illegal tariff provision to remain in effect after its patent illegality has been noted. See Mississippi Power Co., 45 F.P.C. 269, 277-78(1971). Yet this is the effect of the Order of September 27 which permits the fuel clause to become effective even though its illegality was established in Order of August 30, 1974 (J.A. 89).

True, the word "rejection" is not employed, but the sense of that term is implicit in the above-quoted statement and unless this Court would exhalt form over substance, the issue has been sufficiently raised to permit its consideration by this Court. Further, however, since the Commission in its brief responded to the merits of the Cities' argument with respect to the Commission's failure sua sponte to reject CL&P's fuel clause, it is clear that no prejudice or injury will accrue to the Commission from the Court's consideration of this issue.

Turning to the Commission's response on the merits of the Cities' argument, the Commission notes that rejection is inappropriate. The Commission in its brief argues that CL&P's fuel clause was not illegal and that, therefore, rejection was not appropriate since Opinion No. 633 which was the basis for the Commission's suspension of the fuel clause was "not, at the time of the instant rate filing, a part of the Commission's regulations" (Resp. Brief at p.29). However, the Commission does not address itself to the arguments made by the Cities in their initial brief that the Commission in Opinion No. 633 did not break new ground vis-a-vis its fuel clause regulations (Cities' Brief at pp. 15-16). The Commission, through Opinion No. 633, merely reaffirmed the basic tenets already expressed in its Regulations Section 35.14 and struck down the wayward interpretation of this Regulation which was being advanced by the subject utility, -- New England Power Company. The Commission, through its Opinion No. 633 thus put the enforcement of Section 35.14 on the track and declared to subject utilities that deviations from the letter and purpose of Regulation Section 35.14 would be considered illegal and improper. Regardless of the terminology employed to describe noncompliance with its Regulations, the result of noncompliance, non-conformity is clearly provided for in the Commission's Regulations Section 35.5, -- rejecting CL&P's fuel clause as

not complying with Section 35.14 (Cities' Initial Brief at pp. 16-17).

B. The Commission's Order of November 29, 1974
Is Properly Before This Court.

On December 30, 1974, the Cities petitioned the Commission for rehearing of its November 29, 1974 Order (attached hereto as Exhibit A). Since it is highly unlikely that the Commission will respond to this petition before the oral argument schedule in this proceeding for January 6, 1975, and since under Section 313 of the Federal Power Act, 16 U.S.C. §8251, Cities will not be considered as having exhausted their administrative remedies for purposes of review until the Commission acts on their petition for rehearing of December 30. Indiana & Michigan Electric Co. v. Federal Power Commission, 224 F.Supp. 166 (D.Ind. 1963). Cities concede, therefore, that although the Commission in its brief addresses itself to the merits of Cities' contentions vis-a-vis the rejection of the revised fuel adjustment clause, the issue of the Commission's error in failing to reject the revised clause is not now before this Court. However, the Order of November 29, 1974, is part of the administrative law of the case relating to the Commission's treatment of CL&P's fuel clause and as such, plays an important part in assessing the merits of and foundation for the orders which antedate this Order and which are before the Court for review. The Commission has acknowledged this role of the

November 29 Order in its treatment of that Order in its Brief (Resp. Brief at pp. 11-12, 31-38). The aspects of the November 29 Order which particularly elucidate the Commission's prior orders and the impact which those orders have on the Cities, pertain to refunds and to double recovery or overcharges.

The Commission makes much in its brief of the role that refunds will play in keeping the Cities whole vis-a-vis overcharges to the extent uncovered at the full hearing on R-2 (Resp. Brief at pp. 13, 19-20, 30, 35, 36). With respect to the interim refund provision established in the Commission's November 8 Order and implemented by its November 29 Order (J.A. 112 et seq), the materials submitted to the Commission in response to the Order of November 29 by CL&P make it clear that due to the mismatching of the base rate with the revised fuel clause^{1/} the Cities will not receive interim refunds but rather will pay upwards of \$300,000 additional to the Company. This bears out the Cities' consistent position from the inception of this proceeding that excessive charges result from the Commission's action and contradicts the position on overcharges taken by the Commission in its brief (Resp. Br. at p. 31).

^{1/} CL&P acknowledged that to avoid inconsistencies between the base rate and the fuel clause it would have had to entirely rework its energy charge, a course which the Commission did not require the Company to follow (J.A. 102-103) (Exhibit C, CL&P data related to Nov. 29 Order.).

Further, the Commission's reliance on refunds after the final disposition of the R-2 rate proceeding to remedy overcharges, will not apply to any overcharges related to the fuel clause as revised:

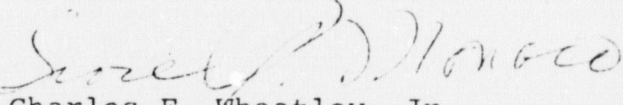
Accordingly, we shall accept the tendered substitute fuel clause for filing. As provided for in our Order of November 8, 1974, in this docket, the suspension as it related to the fuel clause shall be lifted, the substitute fuel clause made effective as of September 2, 1974, interim refunds shall be required as hereinafter ordered, and CL&P's refund obligation with respect to the fuel clause shall be terminated. (Emphasis added, J.A. 115, see also J.A. 116).

Thus the Commission by its Order has retroactively terminated the refund obligation of CL&P as it relates to the fuel clause and has deprived Cities of their only avenue to recover overcharges under the fuel clause. Clearly, therefore, the Cities are not, as the Commission in its brief would have us believe, in the position to be rendered whole as to overcharges re the revised fuel clause discovered at the hearing on the R-2 rate and are therefore, clearly irreparably injured by the actions taken in the Commission's orders creating the mismatch which lead to the overcharges and which are now subject to review by this Court (See Exhibit A, Cities' December 30 petition for rehearing).

CONCLUSION

WHEREFORE, for the foregoing reasons, the Petitioners respectfully request that this Court remand the proceeding to the Commission with instructions (1) that the CL&P fuel clause as initially filed be rejected; (2) that the Commission reconsider its determination of the suspension period applicable to the R-2 rate and in making that redetermination exercise its discretion in accordance with the congressional intent by fully considering the arguments of the Staff, Cities and the Company re the length of the suspension period to arrive at an appropriate suspension period which would protect the interests of the consumer; and (3) that pending Commission compliance therewith enjoin the use of the R-2 rate.

Respectfully submitted,


Charles F. Wheatley, Jr.
Grace Powers Monaco
John A. Cameron, Jr.

Wheatley & Miller
1112 Watergate Office Building
2600 Virginia Avenue, N.W.
Washington, D. C. 20037

January 3, 1975

Dec 30 4 51 PM '74

UNITED STATES OF AMERICA
 FEDERAL POWER COMMISSION BEFORE THE FEDERAL POWER COMMISSION

In the Matter of: :
 :
 Connecticut Light and Power Company : Docket No. E-8952

CITIES' PETITION FOR REHEARING

Pursuant to Section 1.34 of the Federal Power Commission's Rules of Practice and Procedure, the Cities request that the Commission grant rehearing of its Order of November 29, 1974 wherein the Commission terminated CL&P's refund obligation with respect to its fuel clause. In support thereof, Cities state as follows.

- I. THE COMMISSION IN ITS ORDER OF NOVEMBER 29 HAS COMMITTED ERROR IN RETROACTIVELY TERMINATING THE REFUND OBLIGATION OF CL&P AS IT RELATES TO ITS FUEL CLAUSE AND THUS HAS DEPRIVED THE CITIES OF THEIR ONLY AVENUE TO RECOVER OVERCHARGES UNDER THE FUEL CLAUSE.

By its Order of November 29, 1974 the Commission (1) found without hearing, that CL&P's substitute fuel clause conformed with Opinion 633; (2) lifted the suspension of that fuel clause; (3) permitted the substitute fuel clause to become effective as of September 2, 1974; (4) ordered interim refunds and (5) terminated CL&P's "refund obligation with respect to the fuel clause."

Since the Commission concluded in earlier orders that CL&P's fuel adjustment clause embodied in that Company's R-2 rate filing did not conform to Commission precedent and regulations, it is completely appropriate for the Commission to order interim refunds at this time to afford consumers protection against obvious excess charges relating to an illegal fuel clause. Interim refunds to serve such a purpose were endorsed by the Supreme Court interpreting the identical provision in the Natural Gas Act in Federal Power Commission v. Tennessee Gas Transmission Company, 371 U.S. 145, 150, 154-55 (1962):

"As all of the respondents admit, there is 'no question' as to the Commission's authority to issue interim rate orders. Indeed, such general authority is well established by cases in this Court. . . .

* * *

"Moreover, the use of the interim order technique is in keeping with the purposes of the Act 'to protect consumers against exploitation at the hands of natural gas companies' . . . and 'to underwrite just and reasonable rates to the consumers of natural gas. . . .' . . . Faced with the finding that the rate of return was excessive, the Commission acted properly within its statutory power in issuing the interim order of reduction and refund, since the purpose of the Act is 'to afford consumers a complete, permanent and effective bond of protection from excessive rates and charges. . . .' . . . To do otherwise would have permitted Tennessee Gas to collect the illegal rate for an additional 18 months. . . at a cost of over \$16,500,000 to consumers. True, the exaction would have been subject to refund, but experience has shown this to be somewhat illusory in view of the trickling down process necessary to be followed, the incidental cost of which is often borne by the consumers, and in view of the transient nature of our society which often prevents refunds from reaching those to whom they are due. . . . It is, therefore, the duty of the Commission to look at 'the backdrop of the practical consequences [resulting]. . . and the purposes of the Act'. . . . (Citations and footnotes omitted.)

The Supreme Court thus acknowledged that since the "refund" process does not completely satisfy consumer protection standards, it was appropriate for the Commission to order interim refunds of amounts clearly in error thus reducing the burden to the consumers of carrying patently illegal charges for an additional 18 months, the projected termination date of the proceeding, and further recognized that any additional overcharges would be recouped through the operation of the ongoing overall refund requirements imposed upon the Company by the Commission.

The difference between the interim refund procedure followed in the Tennessee proceeding, and the procedure followed in the instant proceeding is obvious. The interim refunds in the Tennessee proceeding serve to avoid obvious excess charges and make the eventual refund procedure after termination of the proceeding more meaningful. In the instant case, the Commission, without a hearing, expressly terminated a pre-existing refund obligation as it relates to the substituted fuel clause with the payment of interim refunds, thus closing off any hope of recoupment of overcharges by the Cities relating to the substitute fuel clause as may be developed at the full hearing scheduled on CL&P's R-2 rate proposal. The possibility of uncovering further deficiencies in the substituted fuel clause is evident from the November 29 Order in which the Commission acknowledged that there was "merit" in Cities contention that CL&P had not filed certain data required to support its substitute fuel clause and therefore required CL&P to submit such data within 30 days.

The action of the Commission foreclosing refunds of excessive charges as may be developed at the full hearing on CL&P's R-2 tariff, without notice, hearing or mature consideration, is inconsistent with its regulatory responsibility to ascertain and authorize just and reasonable rates and to protect consumers from excessive charges. See FPC v. Sierra Pacific Power Co., 350 U.S. 348 (1956). Further, there is also precedent to the effect that an agency once having entered a suspension order may not vacate that order without first affording the interested parties a hearing. See Atlantic Coast Line RR Co. v. United States, 173 F. Supp. 871, 873 (E.D. Va. 1958).

The Commission should therefore reinstate the refund requirement as it pertains to CL&P's fuel clause.

- II. THE COMMISSION ERRED IN APPROVING CL&P'S REVISED FUEL CLAUSE IN THE FACE OF ACKNOWLEDGED OVERCHARGES WHICH WILL THEREBY BE IMPOSED UPON CITIES, AND IN THE ABSENCE OF THE COMPLETE DATA, REQUIRED BY COMMISSION REGULATIONS, UPON WHICH THE COMMISSION WOULD PROPERLY BE EXPECTED TO BASE ANY SUCH DECISION.

Approval of the revised fuel clause component of the proposed R-2 rate and termination of the Company's refund obligation with respect thereto upon tender of interim refunds is inconsistent with the Commission's responsibility to ascertain and promulgate just and reasonable rates so to protect wholesale consumers of electric energy from excessive charges. See FPC v. Sierra Pacific Power Co., 350 U.S. 348 (1956).

In the instant proceeding, the Commission has determined exparte that the revised fuel clause of September 30, 1974, "complies with Opinion 633 in that it does not impute fuel cost variations from its own generation to purchased power and net interchange energy. 1/ This is the stated reason for approval, as well as for refund obligation termination, and for lifting of the fuel clause suspension. However, it was specifically noted in the November 29 Order that CL&P recognized that the revised fuel clause would produce inconsistencies due to the mismatch of base fuel costs between said clause and the R-2 rate. From the Commission's treatment of this acknowledged problem in its Order, one may infer that it has adopted the Company's view that such "inconsistencies" will unavoidably follow from implementation of the September 30 fuel clause.

As was demonstrated in Cities Motion to Reject of November 6, 1974, these inconsistencies directly translate into overcharges of up to .2687 cents per kwh for each of the Cities resulting from the difference in base costs of fuel, .905 cents per kwh as employed in the R-2 rate and .6363 cents per kwh in the fuel clause.

1/ Order of November 29, 1974, at 4.

Furthermore, the Commission ordered CL&P to supplement the outmoded data submitted with its original filing of August 23, 1974, by revising the itemized statements of actual and projected revenues required under Section 35.13(b)(1) of the Commission's Regulations.

In the instant situation, where rate inconsistencies which lead to excess charges for Cities, and where the data base upon which the Commission must determine the justness and reasonableness of the fuel clause is significantly out of date, thus increasing the possibility of inconsistencies and resultant overcharges arising from the revised fuel clause, it is hardly in a position to approve said clause. To terminate CL&P's refund obligation, prior to the culmination of the thorough hearing procedure at which the impact of both rate and fuel clause can be measured, based upon current data, would be contrary to the reasoning set forth in the Commission's Order of August 30, 1974.

In its Orders of September 27 and November 8, 1974, the Commission pointedly remarked that it had intended to suspend both the R-2 rate and its component fuel clause by operation of the language:

"Our review of CL&P's filing and the issues raised therein indicates that the proposed changes have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, preferential or otherwise unlawful. Accordingly, we shall suspend the proposed changes for one day and establish hearing procedures to determine the justness and reasonableness of CL&P's filing." 1/

As this quoted paragraph implies, there are a host of ways in which the CL&P R-2 rate could offend the various provisions of the Federal Power Act. To date, as regards the interaction of the rate and its component fuel clause, the Commission has cursorily examined only one aspect thereof. Prior to a hearing during which all such matters

1/ Order of August 30, 1974, at 2.

will come to the fore, the Commission is not warranted in depriving Cities of their potential right to refund of excess charges which might there be exposed.

III. THE COMMISSION ERRED IN REFUSING TO REJECT CL&P'S REVISED FUEL CLAUSE DESPITE ITS ACKNOWLEDGED DEFICIENCIES

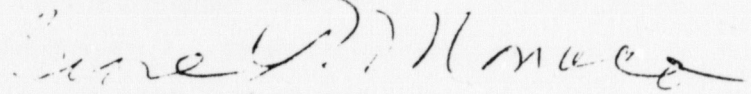
The Commission observes at page three of its Order of November 29, that in most respects Cities claims of noncompliance with Section 35.14(b) and 35.13(b)(1) of its Regulations were rendered moot by a mailgram submittal by the Company of November 4, 1974, thus acknowledging the merit of Cities claims of non-compliance with the Commission's Regulations. The Commission also acknowledges at the same page of its Order that even after the mailgram submittal by CL&P, there is still merit to Cities contention that CL&P was not in compliance with some requirements of Section 35.13(b)(1) of its Regulations and therefore orders compliance therewith. It is obvious from these admissions of nonconformance that the Commission erred in failing to reject initially and outright CL&P's revised fuel clause in accordance with Section 35.5 of its Regulations which provides that:

"Rejection of materials submitted for filing.
The Secretary, pursuant to the Commission's Rules of Practice and Procedure and Delegation of Commission Authority, shall reject any material which patently fails to substantially comply with the applicable requirements set forth in this part or the Commission's Rules of Practice and Procedure.

CONCLUSION

WHEREFORE, for the foregoing reasons, Cities request that the Commission in accord with the request of the Cities, enter an order relating to CL&P's revised fuel clause which rejects the filing of the revised clause or in the alternative retains the interim refund provision and reinstates the ultimate refund provision.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Grace Powers Monaco".

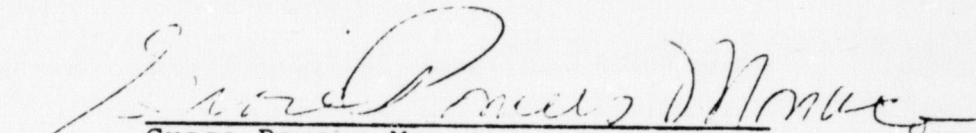
Charles F. Wheatley, Jr.
Grace Powers Monaco
John A. Cameron, Jr.

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2600 Virginia Avenue, N.W.
Washington, D. C. 20037

December 30, 1974

CERTIFICATE OF SERVICE

This is to certify that the foregoing petition for rehearing has been served this 30th day of December, 1974 on all parties of record pursuant to Section 1.17 of the Commission's Rules of Practice and Procedure.


Grace Powers Monaco

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COUNSELLORS AT LAW
ONE CONSTITUTION PLAZA
HARTFORD, CONNECTICUT 06103
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August 6, 1974

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RECEIVED

Dear Mr. Wheatley:

Enclosed for your information are four copies of The Connecticut Light and Power Company rate schedule which was filed with the Federal Power Commission on August 2, 1974.

Yours very truly,

Richard C. MacKenzie
Richard C. MacKenzie

RCM/jmb
Enclosures

THE CONNECTICUT LIGHT & POWER COMPANY
BOROUGH OF GROTON
PROPOSED RATE - BILL CALCULATIONS
PERIOD 1 - PERIOD 2

DATE	ACTUAL DEMAND	ACTUAL PEAKING DEMAND	BILLING PEAKING DEMAND	BASE - INTERMEDIATE DEMAND	PEAKING KWH	BASE - INTERMEDIATE KWH	RKVA	FUEL ADJUSTMENT FACTOR	RATE REVENUE	RKVA REVENUE	FUEL REVENUE	FACILITIES CHARGES	PROPERTY TAXES	GRAND TOTAL
S '73	53,136	7,368	7,368	4,5768	201,327	27,261,393	27216	.00006	437,306	1950	(1648)	2,499	196	442,103
O	49,468	4,200	7,368	4,5768	130,216	26,773,784	18,864	.00001	435,047	892	269	2,299	196	438,703
N	50,256	4,488	7,368	4,5768	201,913	26,911,547	19,440	.00021	437,096	963	5644	2,299	196	446,248
D	49,104	3,336	7,368	4,5768	64,080	25,351,440	21,168	.00086	424,934	1,245	21,857	2,299	196	450,531
J '74	50,112	4,063	7,087	4,6049	45,088	26,342,272	21,600	.00177	431,309	1,270	46,713	2,299	196	481,787
F	52,416	6,367	7,087	4,6049	399,431	27,262,009	22,176	.00266	442,878	1,270	73,579	2,299	196	526,222
M	52,272	6,223	7,087	4,6049	115,136	31,002,784	21,024	.00369	441,983	1,114	114,825	2,299	196	589,417
A	53,280	7,231	7,231	4,6049	329,106	27,028,014	22,896	.00595	440,809	1,341	162,775	2,299	196	607,420
M	50,256	4,207	7,231	4,6049	29,122	28,244,318	24,048	.00656	443,628	1,608	185,474	2,299	196	633,205
J	51,552	5,503	7,231	4,6049	280,621	28,122,953	24,494	.00613	446,761	1,905	174,114	2,299	196	625,483
J	47,747	1,698	7,087	4,6049	186,028	24,355,972	25,944	.00580	420,935	1,968	142,344	2,299	196	567,742
A	49,650	3,601	7,087	4,6049	346,606	26,315,394	25,304	.00618	436,003	1,806	164,771	2,299	196	605,075
TOTAL					2,332,680	24,972,120	274,229		5,260,897	17,332	1,090,767	27,588	2,352	6,378,936
S '74	53,462	7,413	7,413	4,6049	20,260	27,437,399	27,383	.00682	442,058	1,962	184,505	2,299	196	635,020
O	50,684	4,635	7,413	4,6049	131,977	27,136,023	19,134	.00909	438,989	905	247,866	2,299	196	690,255
N	48,133	2,084	7,413	4,6049	193,640	25,798,360	18,619	.00912	431,503	922	237,047	2,299	196	671,967
D	57,452	5,403	7,413	4,6049	67,163	26,584,837	22,180	.00639	434,429	1,304	170,306	2,299	196	608,534
J '75	56,964	7,231	7,231	4,6733	57,639	30,930,361	21,837	.00652	479,976	1,063	202,042	2,299	196	685,576
F	56,916	7,183	7,231	4,6733	441,344	30,122,656	24,972	.00679	481,121	1,504	207,530	2,299	196	692,650
M	56,839	7,106	7,231	4,6733	120,715	32,505,285	24,857	.00679	491,008	1,491	221,531	2,299	196	716,525
A	55,595	5,862	7,231	4,6733	368,517	30,264,463	25,501	.00679	480,830	1,624	207,998	2,299	196	692,947
M	50,779	1,046	7,231	4,6733	29,290	28,406,710	24,143	.00679	463,487	1,603	193,080	2,299	196	660,665
J	49,976	2,46	7,231	4,6733	27,744	27,008,506	27,578	.00482	463,747	2,112	135,375	2,299	196	603,729
J	57,567	18,34	7,231	4,6733	20,091	26,304,090	28,074	.00482	452,942	2,126	127,754	2,299	196	585,317
A	53,622	3,889	7,231	4,6733	374,433	28,420,567	27,334	.00482	469,218	1,950	138,792	2,299	196	612,455
TOTAL					2,465,723	34,179,277			5,529,308	18,566	2,277,826	27,588	2,352	7,855,640

THE CONNECTICUT LIGHT & POWER COMPANY
BOROUGH OF JEWETT CITY
PROPOSED RATE - BILL CALCULATIONS
PERIOD 1 - PERIOD 2

DATE		ACTUAL DEMAND	ACTUAL PEAKING DEMAND	BILLING PEAKING DEMAND	BASE- INTERMEDIATE DEMAND	PEAKING KWH	BASE- INTERMEDIATE KWH	RKVA*	FUEL ADJUSTMENT FACTOR	RATE REVENUE	RKVA REVENUE	FUEL REVENUE	FACILITIES CHARGES	PROPERTY TAXES	GRAND TOTAL
S '73	ACTUAL	2,399	598	764	1,801	12,944	9,674.30	-	(.00004)	18,569	-	(.59)	2,583	196	21,269
O		2,243	442	764	1,801	5,302	9,22,806	-	.00001	18,168	-	9	2,583	196	20,956
N		2,255	454	764	1,801	2,1758	9,73,354	-	.00021	18,750	-	209	2,583	196	21,738
D		2,240	439	764	1,801	19,581	1,052,643	-	.00086	19,218	-	922	2,583	196	22,919
J '74		2,157	211	618	1,946	17,044	1,072,724	-	.00177	19,969	-	1929	2,583	196	24,177
F		2,090	144	618	1,946	41,650	936,734	-	.00266	19,008	-	2403	2,583	196	24,390
M		1,885	-	618	1,946	17,623	1,055,009	-	.00369	19,366	-	3958	2,583	196	26,103
A		1,885	-	618	1,946	6,029	8,52,931	-	.00595	17,932	-	5147	2,583	196	25,858
M		1,683	-	618	1,946	-	890,256	-	.00656	18,032	-	5840	2,583	196	26,651
J		1,928	-	453	1,946	6,608	904,864	-	.00613	17,583	-	5587	2,583	196	25,949
J	EST.	2,197	251	596	1,946	12,344	925,656	-	.00580	18,372	-	5440	2,583	196	26,591
A		2,258	315	596	1,946	33477	991,523	-	.00618	19,136	-	6335	2,583	196	28,250
TOTAL						194,910	11,551,930			223,603		37,920	30,996	2,352	244,871
S '74	EST.	2,386	440	596	1,946	12,932	9,630,68	-	.00622	18,619	-	5,656	2,583	196	28,054
O		2,234	288	596	1,946	5,781	9,192,19	-	.00909	18,224	-	8408	2,583	196	29,411
N		2,050	104	596	1,946	19,761	884,239	-	.00912	18,230	-	8,244	2,583	196	29,253
D		2,228	282	596	1,946	19,483	1,047,517	-	.00639	19,263	-	6,811	2,583	196	28,860
J '75		2,545	482	482	2,063	17,474	1,099,526	-	.00652	19,709	-	7,283	2,583	196	29,771
F		2,695	632	632	2,063	47,381	1,065,619	-	.00679	20,573	-	7,557	2,583	196	30,909
M		2,407	344	632	2,063	18,513	1,108,487	-	.00679	20,374	-	7,652	2,583	196	30,805
A		2,299	236	632	2,063	6,908	984,092	-	.00679	19,394	-	5,729	2,583	196	28,902
M		1,976	-	632	2,063	-	970,000	-	.00679	19,192	-	6,586	2,583	196	28,557
J		2,284	221	632	2,063	7,585	1,038,415	-	.00482	19,750	-	5042	2,583	196	27,571
J		2,329	266	632	2,063	13,085	980,915	-	.00482	19,775	-	4,791	2,583	196	27,045
A		2,393	330	632	2,063	35,486	1,051,514	-	.00482	20,289	-	5,239	2,583	196	28,307
TOTAL						204,319	12,112,611			233,092		81,005	30,996	2,352	347,445
* NO RKVA METER.															

THE CONNECTICUT LIGHT & POWER COMPANY
SECOND TAXING DISTRICT - NORWALK
PROPOSED RATE - BILL CALCULATIONS
PERIOD 1 - PERIOD 2

PERIOD 1 - PERIOD 2								PERIOD 3 - PERIOD 4								PERIOD 5 - PERIOD 6								PERIOD 7 - PERIOD 8								PERIOD 9 - PERIOD 10								PERIOD 11 - PERIOD 12								PERIOD 13 - PERIOD 14							
DATE		ACTUAL DEMAND	ACTUAL PEAKING DEMAND	BILLING PEAKING DEMAND	BASE - INTERMEDIATE DEMAND	PEAKING KWH	BASE - INTERMEDIATE KWH	RKVA	FUEL ADJUSTMENT FACTOR	RATE REVENUE	RKVA REVENUE	FUEL REVENUE	FACILITIES CHARGES	PROPERTY TAX	GRAND TOTAL																																								
1	S '73	ACTUAL	6,541	195	195	6,346	17,861	4,052,815	969	(.00006)	594,78	(247)	4011	305	63,547																																								
2	O		6,515	169	195	6,346	34,811	4,223,730	1,224	.00001	60,586	43	4011	305	64,945																																								
3	N		6,541	195	195	6,346	31,634	4,066,318	1,224	.00021	59,535	861	4011	305	64,712																																								
4	D		6,528	182	195	6,346	24,895	4,234,625	1,007	.00086	60,493	3663	4011	305	64,722																																								
5	J '74		6,528	-	-	6,867	-	4,375,066	995	.00177	62,882	7,744	4011	305	74,142																																								
6	F		6,515	-	-	6,867	-	3,971,510	1,823	.00266	60,358	27	4011	305	75,281																																								
7	M		6,541	-	-	6,867	-	4,264,458	1,836	.00369	62,167	28	4011	305	82,239																																								
8	A		6,554	-	-	6,867	-	3,887,424	1,619	.00595	59,786	-	4011	305	82,232																																								
9	M		6,554	-	-	6,867	-	4,106,765	1,403	.00656	61,179	-	4011	305	92,135																																								
10	J		6,528	-	-	6,867	-	3,813,005	2,053	.00613	59,313	59	4011	305	87,062																																								
11	J	EST.	6,811	-	-	6,867	-	4,441,000	1,447	.00580	63,301	25,758	4011	305	93,375																																								
12	A		6,580	-	-	6,867	-	4,468,000	1,375	.00618	63,472	27,612	4011	305	95,400																																								
13	TOTAL						109,207	49,948,716			73,550	114	165,186	481,32	3660	94,962																																							
14																																																							
15																																																							
16	S '74	EST.	6,995	126	126	6,867	19,092	4,573,908	1,037	.00682	63,684	29,960	4011	305	97,960																																								
17	O		6,885	16	126	6,867	36,808	4,466,192	1,293	.00909	64,559	40,932	4011	305	109,807																																								
18	N		6,786	-	126	6,867	32,844	4,222,156	1,270	.00912	62,945	38,806	4011	305	106,067																																								
19	D		6,954	85	126	6,867	26,542	4,514,458	1,073	.00639	64,698	29,017	4011	305	98,031																																								
20	J '75		5,342	-	-	7,281	-	4,124,000	3,790	.00652	63,393	344	4011	305	94,941																																								
21	F		5,218	-	-	7,281	-	3,446,000	1,472	.00679	59,088	21	4011	305	86,823																																								
22	M		5,374	-	-	7,281	-	3,767,000	1,870	.00679	61,124	74	4011	305	91,094																																								
23	A		6,959	-	-	7,281	-	4,078,000	2,320	.00679	63,101	81	4011	305	95,188																																								
24	M		6,957	-	-	7,281	-	4,327,000	1,877	.00679	64,682	19	4011	305	98,397																																								
25	J		6,967	-	-	7,281	-	4,306,000	3,849	.00482	64,549	295	4011	305	89,915																																								
26	J		7,220	-	-	7,281	-	4,707,000	1,534	.00482	67,095	22,688	4011	305	94,099																																								
27	A		6,975	-	-	7,281	-	4,736,000	1,458	.00482	67,280	22,828	4011	305	94,434																																								
28	TOTAL						115,286	51,067,714			766,200	834	331,920	481,32	3660	115,674																																							
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Docket No. _____
Page 8 of 14
(B-5)

THE CONNECTICUT LIGHT & POWER COMPANY
THIRD TAXING DISTRICT - NORWALK
PROPOSED RATE - BILL CALCULATIONS
PERIOD 1 - PERIOD 2

DATE	ACTUAL DEMAND	ACTUAL PEAKING DEMAND	BILLING PEAKING DEMAND	BASE-INTERMEDIATE DEMAND	PEAKING KWH	BASE-INTERMEDIATE KWH	RKVA	FUEL ADJUSTMENT FACTOR	RATE REVENUE	RKVA REVENUE	FUEL REVENUE	FACILITIES CHARGES	PROPERTY TAXES	GRAND TOTAL
S '73	7418	2514	2518	4930	81754	2777508	4282	(.00006)	54343	337	(172)	4675	356	59539
O	5411	441	2518	4980	3950	2404882	2225	.00001	50704	120	24	4675	356	55879
N	5464	484	2518	4980	6575	2764561	2072	.00021	53031	102	582	4675	356	58746
D	5574	594	2518	4980	13357	2782259	2	.00086	53254	119	2404	4675	356	60808
J '74	6059	998	2437	5061	40120	2917064		.00177	54643	158	5234	4675	356	65066
F	5846	785	2437	5061	32478	2709282		.00266	53198	116	7293	4675	356	65638
M	5464	403	2437	5061	4901	2634043		.00369	52270	160	9738	4675	356	67199
A	5302	241	2437	5061	1844	2602828	2	.00595	52222	129	15498	4675	356	72680
M	5207	146	2437	5061	-	2746656	2417	.00656	52405	167	18018	4675	356	76121
J	5830	1769	2437	5061	89174	2564458	2673	.00613	53206	135	16267	4675	356	74639
A	6748	1887	2437	5061	221433	3127567	3925	.00580	58944	306	19424	4675	356	83705
TOTAL	7306	2245	2438	5061	317984	3094016	3972	.00618	60313	300	21086	4675	356	86730
					813572	33125124			648333	2149	115396	56100	4272	826750
S	7470	2409	2409	5061	81377	2764623	4265	.00682	54239	336	19410	4675	356	79016
O	5450	389	2409	5061	3932	2394068	2216	.00904	50620	119	21798	4675	356	77568
N	5442	381	2409	5061	6546	2752454	2084	.00912	52938	101	25162	4675	356	83232
D	5544	483	2409	5061	13297	2769703	2228	.00639	53158	118	17783	4675	356	76090
J '75	6514	1149	2105	5365	47543	3456487	2691	.00652	58435	149	22846	4675	356	86461
F	6144	829	2105	5365	35435	2955565	2645	.00479	55054	160	20304	4675	356	80556
M	5548	183	2105	5365	5315	2856685	2449	.00679	53936	149	19433	4675	356	78549
A	5647	282	2105	5365	1979	2793021	2484	.00479	53477	150	18978	4675	356	77636
M	5086	-	2105	5365	-	2614000	2233	.00679	52308	135	17749	4675	356	75223
J	7476	2111	2111	5365	99988	2875012	3971	.00482	55624	294	14340	4675	356	75289
J	7365	2000	2111	5365	234719	3315281	4161	.00482	60622	325	17111	4675	356	83089
A	7744	2379	2111	5365	337063	3279937	4210	.00482	62071	318	17434	4675	356	84854
TOTAL					867194	34826806			662484	7354	232353	56100	4272	957563

THE CONNECTICUT LIGHT & POWER COMPANY
CITY OF NORWICH
PROPOSED RATE - BILL CALCULATIONS
PERIOD 1 - PERIOD 2

PERIOD 1 - PERIOD 2							PERIOD 3 - PERIOD 4								PERIOD 5 - PERIOD 6					PERIOD 7 - PERIOD 8					PERIOD 9 - PERIOD 10					PERIOD 11 - PERIOD 12					PERIOD 13 - PERIOD 14				
DATE		ACTUAL DEMAND	ACTUAL PEAKING DEMAND	BILLING PEAKING DEMAND	BASE- INTERMEDIATE DEMAND	PEAKING KWH	BASE- INTERMEDIATE KWH	RKVA	FUEL ADJUSTMENT FACTOR	RATE REVENUE	RKVA REVENUE	FUEL REVENUE	FACILITIES CHARGES	PROPERTY TAXES	GRAND TOTAL																								
S '73	ACTUAL	29,448	1,809	2,270	27,639	30,348	14,088,430	9,809	(.00706)	24,9138	343	(1.47)	1,470	93	241,197																								
O		29,459	1,820	2,270	27,639	65,441	15,670,236	6,966	.00001	25,9755	-	157	1,470	93	252,475																								
N		29,160	1,521	2,270	27,639	85,403	14,925,437	6,480	.00021	24,6352	-	3,152	1,470	93	251,067																								
D		29,616	1,977	2,270	27,639	102,271	15,813,089	6,720	.00086	25,2264	-	13,627	1,470	93	267,514																								
J '74		27,736	956	974	28,780	177,743	15,708,737	6,624	.00177	25,3549	-	221.16	1,470	93	283,228																								
F		29,424	644	974	28,780	110,917	14,649,843	6,936	.00266	24,5743	-	39,264	1,470	93	286,570																								
M		29,544	764	974	28,780	85,561	16,092,239	7,032	.00369	25,4188	-	59,696	1,470	93	315,747																								
A		29,568	788	974	28,780	68,217	13,948,783	6,960	.00595	24,0593	-	83,401	1,315	93	325,402																								
M		28,344	-	974	28,780	12,716	14,921,404	8,808	.00656	24,5162	241	97,961	1,315	93	345,479																								
J		30,528	1,748	1,748	28,780	119,844	13,404,876	10,368	.00613	24,1033	383	82,407	1,315	93	325,731																								
J	EST.	29,026	246	1,261	28,780	209,189	15,087,811	8,369	.00520	25,1242	156	87,723	1,315	93	341,549																								
A		29,129	409	1,261	28,780	457,634	14,983,366	8,658	.00418	25,4661	191	85,425	1,315	93	351,635																								
TOTAL										2,976,700	1,314	591,649	16,865	1,116	3,587,644																								
S '74	EST.	31,144	2,364	2,364	28,780	321,19	14,815,881	10,373	.00622	25,1430	362	101,741	1,315	93	354,941																								
O		28,152	-	2,364	28,780	62,519	14,970,481	6,657	.00909	25,2465	-	136,650	1,315	93	370,523																								
N		27,850	-	2,364	28,780	81,603	14,261,397	6,189	.00912	24,8274	-	130,808	1,315	93	380,490																								
D		29,263	482	2,364	28,780	92,167	15,621,833	6,640	.00639	25,7086	-	100,412	1,315	93	358,906																								
J '75		30,518	11	637	30,507	177,715	15,722,085	5,366	.00652	26,1145	-	103,668	1,315	93	366,221																								
F		30,544	37	637	30,507	129,497	15,915,503	7,763	.00679	26,1134	18	108,884	1,315	93	371,744																								
M		31,843	1,336	1,336	30,507	90,607	17,041,393	9,038	.00679	27,0149	-	116,326	1,315	93	388,583																								
A		30,298	-	1,336	30,507	71,96	14,557,804	5,208	.00679	25,9761	-	99,331	1,315	93	355,500																								
M		29,791	-	1,336	30,507	12,772	14,986,228	8,491	.00679	25,6546	147	101,843	1,315	93	359,926																								
J		30,288	-	1,336	30,507	14,3587	16,066,413	9,841	.00482	26,5486	318	79,103	1,315	93	345,315																								
J		30,768	261	1,336	30,507	22,174	15,993,260	8,871	.00482	26,6337	165	78,156	1,315	93	346,066																								
A		30,940	433	1,336	30,507	41,5092	15,881,908	9,177	.00482	26,9436	202	78,119	1,315	93	350,435																								
TOTAL						1,591,814	14,892,186			3,115,249	1,214	1,234,811	15,780	1,116	4,368,650																								

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Docket No. _____
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THE CONNECTICUT LIGHT & POWER COMPANY
TOWN OF WALLINGFORD
PROPOSED RATE - BILL CALCULATIONS
PERIOD 1 - PERIOD 2

PERIOD 1 - PERIOD 2																
			ACTUAL DEMAND	ACTUAL PEAKING DEMAND	BILLING PEAKING DEMAND	BASE- INTERMEDIATE DEMAND	PEAKING KWH	BASE- INTERMEDIATE KWH		FUEL ADJUSTMENT FACTOR	RATE REVENUE	RKVA REVENUE	FUEL REVENUE	FACILITIES CHARGES	PROPERTY TAXES	GRAND TOTAL
1	S '73	ACTUAL	43,750	2,064	2,164	41,686	73,168	24,276,832	25450	(.00006)	376,896	2,032	(1,461)	1,385	112	378,964
2	O		43,350	1,644	2,164	41,686	49,944	23,580,056	20550	.00001	372,092	1,360	236	1,385	112	375,185
3	N		43,700	2,014	2,164	41,686	154,790	24,263,210	20600	.00021	378,176	1,355	5129	1,365	112	386,157
4	D		44,000	2,314	2,314	41,686	132,904	22,847,096	22300	.00086	369,385	1,582	19763	1,385	112	392,227
5	J '74		43,950	808	858	43,142	1,039,057	26,239,443	19150	.00177	407,448	1,143	48,284	1,385	112	458,372
6	F		44,000	858	858	43,142	31,316	25,223,694	18700	.04266	384,519	1,078	69,178	1,385	112	434,272
7	M		44,100	958	958	43,142	32,367	25,244,633	15800	.00369	385,079	669	93,276	1,385	112	480,521
8	A		43,900	758	758	43,142	71,536	26,323,464	14750	.00595	392,566	529	157,062	1,385	112	551,654
9	H		43,900	758	758	43,142	11,534	25,619,466	10850	.00656	387,102	1,681,39	1,385	112	556,738	
10	J		44,000	858	858	43,142	188,010	26,143,990	10350	.00613	393,318	1,614,15	1,385	112	556,230	
11	J	EST.	41,628	-	2,345	43,142	101,863	24,209,137	25310	.00580	385,285	2,086	141,004	1,385	112	529,872
12	A		42,839	-	2,345	43,142	273,078	25,334,922	26670	.00618	395,397	2,262	158,319	1,385	112	557,975
13	TOTAL						2,170,567	24,213,433			4,627,263	14096	1,618,344	1,6620	1,344	5,677,667
14																
15																
16	S '74	EST.	43,941	805	2,345	43,142	73,425	24,401,575	25560	.00612	386,042	2,040	166,920	1,385	112	556,999
17	O		44,081	939	2,345	43,142	50,641	22,473,309	20900	.00909	382,951	1,383	218,378	1,385	112	604,209
18	N		40,631	-	2,345	43,142	144,000	22,569,000	19150	.00912	375,559	1,259	207,143	1,385	112	585,458
19	D		45,397	2,255	2,345	43,142	140,549	24,236,191	23010	.00639	386,095	1,633	155,769	1,385	112	549,944
20	J '75		48,289	2,538	2,538	45,731	900,896	22,751,104	27390	.00652	402,884	2,145	154,211	1,385	112	560,737
21	F		46,704	973	2,538	45,731	30,867	24,862,133	22663	.00677	402,064	1,538	169,023	1,385	112	574,122
22	M		47,424	1,493	2,538	45,731	34,417	26,190,383	18174	.00677	410,560	997	178,068	1,385	112	591,122
23	A		46,656	925	2,538	45,731	67,897	24,986,103	24454	.00679	403,457	1,791	170,117	1,385	112	576,862
24	M		44,474	1,257	2,538	45,731	11,047	24,538,953	17458	.00679	394,688	218	166,445	1,385	112	568,768
25	J		43,230	2,501	2,538	45,731	163,280	22,704,720	28429	.00482	390,530	2,467	110,224	1,385	112	504,718
26	J		44,126	3,605	2,538	45,731	107,975	25,463,025	26824	.00482	402,404	2,212	124,211	1,385	112	536,324
27	A		45,409	322	2,538	45,731	300,063	26,854,937	28482	.00482	419,120	2,398	130,887	1,385	112	553,902
28	TOTAL						2,025,657	24,730,342			4,167,354	2,9751	1,451,646	1,6620	1,344	6,757,715
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Page 14 of 14

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EXHIBIT C

DAY, BERRY & HOWARD

COUNSELLORS AT LAW

ONE CONSTITUTION PLAZA

HARTFORD, CONNECTICUT 06106

TELEPHONE (203) 278-1330

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MARTIN WOLMAN

RECEIVED

JAN - 1 1975

December 28, 1974

FOR _____

Federal Power Commission
825 North Capitol Street, N.E.
Washington, D.C. 20426

Attention: Mr. Kenneth F. Plumb, Secretary

RE: The Connecticut Light and Power Company
Docket E-8952

Gentlemen:

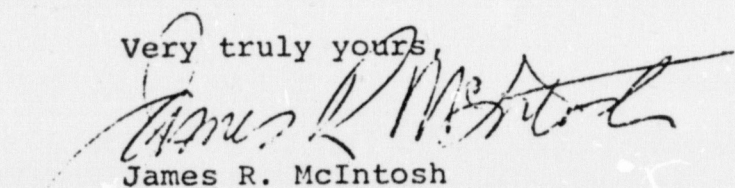
Pursuant to the Commission Order issued November 29, 1974 (the Order) in the captioned proceeding, enclosed herewith for filing on behalf of The Connecticut Light and Power Company (the Company) are five copies of the following:

- (1) Statement N - Revised 12/26/74 - for Period II.
- (2) Statements of sales and revenues under the R-2 Rate, including the substitute fuel clause accepted for filing by the Order, for the twelve month periods prior to and following September, 1974.

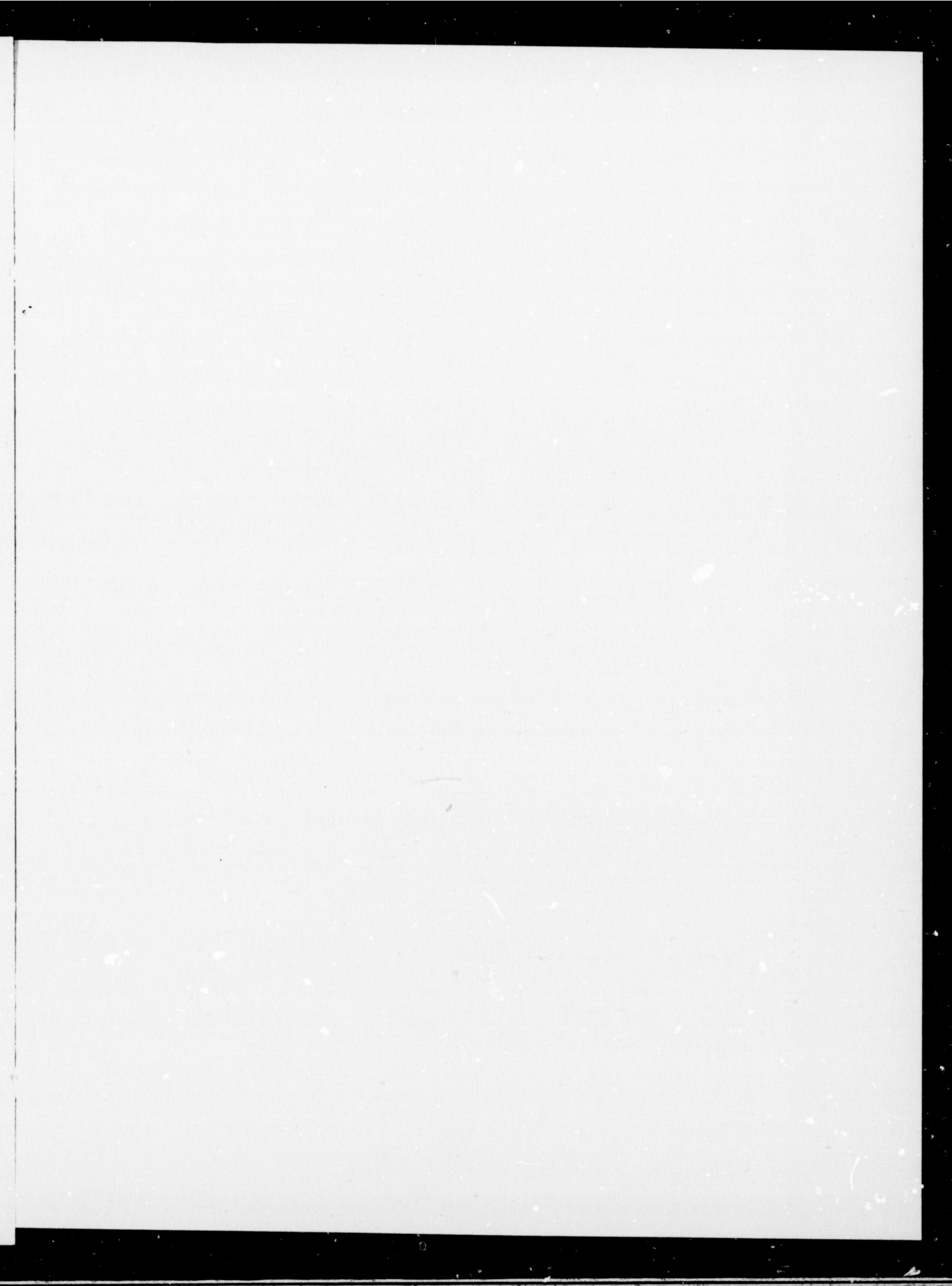
The statements should be included as part of and used with the originally filed Exhibit No. _____ (B-5).

Paragraph (C) of the Order requires the Company to refund to its customers monies "associated with the excess charges collected under the suspended fuel clause" and to "file a report with the Commission showing the principal and interest so refunded." Order at p. 5. The Company hereby reports that no such excess charges were realized or collected under the suspended fuel clause and, therefore, no refunds have been made.

Very truly yours,


James R. McIntosh

cc: All parties on the Commission's service list.



Revised 12/26/74

STATEMENT N

THE CONNECTICUT LIGHT AND POWER COMPANY

COST OF SERVICE STUDY - PROJECTED YEAR 1974

Period II

	Total Electric Department	Total Sales for Resale	SALES FOR RESALE			Total All Other
			Transmission	Municipals Primary	Bozrah Lt. & Pwr. Co.	
Rate Base - Average 1974						
Electric Plant in Service	\$ 953,745	\$ 43,480	\$ 36,784	\$ 5,620	\$ 1,076	\$ 910,265
Accum. Prov. for Depreciation	198,714	9,203	7,812	1,162	230	189,511
Net Electric Plant in Service	755,031	34,276	28,972	4,458	846	720,755
Deduct:						
Contribution in Aid of Construction	6,735	78		78		6,657
Add:						
Plant Held for Future Use	1,750	111	94	15	3	1,639
Allowance for Working Capital	53,850	3,754	3,241	422	91	50,096
Total Rate Base	\$ 803,896	\$ 38,063	\$ 32,307	\$ 4,817	\$ 939	\$ 765,832
Return						
Operating Revenues						
Sales of Electricity	\$ 319,739	\$ 21,369	\$ 18,419	\$ 2,414	\$ 536	\$ 298,370
Other Operating Revenues	4,178	197	171	21	5	3,981
Total Operating Revenues	323,917	21,566	18,590	2,435	541	302,351
Operating Expenses						
Operation & Maintenance Exp.	\$ 213,684	\$ 14,882	\$ 12,875	\$ 1,645	\$ 362	\$ 198,802
Depreciation Expense	26,076	1,041	878	137	26	25,035
Amortize Property Losses	1,416	2	1	1		1,414
Taxes Other Than Income Taxes	29,346	684	583	84	17	28,662
Federal Income Tax	(2,161)	740	645	74	21	(2,901)
State Income Tax	---	206	181	19	6	(206)
Income Tax Deferred - Prior Years	(2,037)	(114)	(98)	(13)	(3)	(1,923)
Total Operating Expenses	\$ 266,324	\$ 17,441	\$ 15,065	\$ 1,947	\$ 429	\$ 248,883
Net Return	\$ 57,593	\$ 4,125	\$ 3,525	\$ 488	\$ 112	\$ 53,468
Rate of Return	7.16%	10.84%	10.91%	10.13%	11.93%	6.98%

Rate Base - Average 1974 - FPC Formula

Capacity Allocation Method - Average 12 Monthly Peaks

All Data per Summary of Results Adjusted for Proposed Wholesale for Resale Rates

Dollar Amounts in Thousands

Exhibit No. _____
Docket No. _____
(N-2)

STATEMENT OF SALES AND REVENUES
R-2 RATE INCLUDING SUBSTITUTE FUEL
CLAUSE

THE CONNECTICUT LIGHT & POWER COMPANY EXHIBIT R2-5
BOZEMAN LIGHT & POWER COMPANY
PROPOSED RATE-BILL CALCULATIONS
PERIOD 1 - PERIOD 2

DATE	ACTUAL DEMAND	ACTUAL PEAKING DEMAND	BILLING PEAKING DEMAND	BASE- INTERMEDIATE DEMAND	PEAKING KWH	BASE- INTERMEDIATE KWH
S '73 ACTUAL	3,690	481	955	3209	7113	1,222,077
D	3,720	511	955	3209	11,135	1,772,265
N	3,825	616	955	3209	37,015	1,994,485
D	3,715	676	955	3209	27,259	1,939,041
J '74	4,170	978	978	3192	17,671	2,084,729
F	4,155	963	978	3192	17,429	1,964,671
M	3,900	708	978	3192	12,377	2,137,723
A	3,475	483	978	3192	2,479	1,733,026
M	3,255	63	978	3192	-	1,741,900
J	3,375	183	978	3192	820	1,712,480
J EST.	3,461	269	956	3192	1079	1,665,921
A	3,641	449	956	3192	29,302	1,897,648
TOTAL					344,374	22,457,222
S '74 EST.	3,671	479	956	3192	7,094	1,812,916
D	3,706	514	956	3192	11,076	1,762,724
N	2,972	-	956	3192	29,334	1,478,441
D	3,263	676	956	3192	22,124	1,929,876
J '75	4,153	769	769	3384	11,324	2,109,176
F	4,317	1,013	1,013	3384	8,163	2,079,337
M	3,909	525	1,013	3384	12,442	2,112,552
A	3,716	332	1,013	3384	2,656	1,855,344
M	3,375	-	1,013	3384	-	1,802,000
J	3,315	1	1,013	3384	886	1,425,114
J	3,669	285	1,013	3384	9,224	1,764,376
A	3,259	475	1,013	3384	41,660	2,011,340
TOTAL					244,913	22,471,107

RMVA	FUEL ADJUSTMENT FACTOR	RATE REVENUE	RMVA REVENUE	FUEL REVENUE	FACILITIES CHARGES	PROPERTY TAXES	GRAND TOTAL
1,635	.000110	31,847	100	201	323	16	32,487
1,110	.000975	31,597	25	1739	323	16	33,760
840	.002589	32,125	-	5006	323	16	38,172
1,020	.002848	32,919	7	5600	323	16	38,265
1,020	.002956	35,337	-	6516	323	16	42,194
870	.002701	34,080	-	5581	323	16	40,000
1,120	.04554	23,945	20	9792	323	16	44,096
900	.007572	31,178	-	13,130	323	16	44,655
825	.007929	31,226	2	13,812	323	16	45,379
855	.006010	31,497	2	10,718	323	16	42,556
1,298	.006570	30,305	61	11,005	323	16	42,210
1,433	.007030	32,771	73	13,617	323	16	46,800
		310,021	290	96,727	3876	192	491,114
S '74 EST.	.008447	31,712	99	15,382	323	16	47,532
1,166	.009882	31,460	25	17,541	323	16	49,365
53	.010305	23,124	-	15,449	323	16	45,762
1,016	.006496	32,776	7	12,713	323	16	45,235
1,091	.006865	35,645	7	15,281	323	16	51,272
1,146	.007881	35,550	9	17,064	323	16	53,262
1,145	.007889	34,740	23	16,211	323	16	52,113
1,150	.007889	33,101	31	14,650	323	16	48,136
1,113	.007889	32,726	32	14,216	323	16	47,319
3,060	.006261	33,522	30	12,059	323	16	45,950
1,376	.006261	32,657	64	11,120	323	16	44,180
1,519	.006261	34,737	71	12,254	323	16	47,050
		394,057	411	175,198	3876	192	578,734

**STATEMENT OF SALES AND REVENUES
R-2 RATE INCLUDING SUBSTITUTE FUEL
CLAUSE**

**THE CONNECTICUT LIGHT & POWER COMPANY EXHIBIT R-5
BOROUGH OF GROTON
PROPOSED RATE - BILL CALCULATIONS
PERIOD 1 - PERIOD 2**

DATE	ACTUAL DEMAND	PEAKING DEMAND	BILLING PEAKING DEMAND	BASE- INTERMEDIATE DEMAND	PEAKING KWH	BASE- INTERMEDIATE KWH	FUEL ADJUSTMENT FACTOR	RATE REVENUE	RKVA REVENUE	FUEL REVENUE	FACILITIES CHARGES	PROPERTY TAXES	GRAND TOTAL
1 S '73 ACTUAL	53,136	7,368	7,368	45,768	201,387	27,261,393							
2 O	49,968	4,200	7,368	45,768	130,216	26,773,784	0.00110	4,555.58	1,950	302.1	2,299	196	446,772
3 N	50,256	4,488	7,368	45,768	201,913	26,711,847	0.00975	435,047	892	26,231	2,299	196	446,665
4 D	49,104	3,336	7,368	45,768	201,913	26,711,847	0.02589	437,090	963	70,198	2,299	196	510,752
5 J '74	50,112	4,063	7,087	46,049	240,805	26,342,272	0.02848	424,937	1,245	72,383	2,299	196	501,057
6 F	52,416	6,367	7,087	46,049	399,431	27,262,009	0.02956	431,309	1,270	78,013	2,299	196	515,27
7 M	52,272	6,223	7,087	46,049	31,007,784	27,262,009	0.02701	442,878	1,270	74,714	2,299	196	521,357
8 A	53,280	7,231	7,231	46,049	329,106	27,028,014	0.04554	446,193	1,114	141,711	2,299	196	607,363
9 M	50,256	4,207	7,231	46,049	29,122	28,244,318	0.07592	440,809	1,341	207,695	2,299	196	652,346
10 J	51,552	5,503	7,231	46,049	28,062,27	28,122,893	0.07929	443,628	1,608	224,180	2,299	196	671,911
11 J Est.	47,747	1,698	7,087	46,049	18,028	24,355,972	0.06010	446,767	1,905	170,705	2,299	196	622,274
12 A	49,650	3,601	7,087	46,049	18,028	24,355,972	0.06570	420,935	1,968	161,241	2,299	196	586,635
13 TOTAL					346,606	26,315,394	0.07030	436,003	1,806	187,434	2,299	196	627,738
14					2,332,680	324,172,120		5,266,977	17,332	141,526	27,581	2,352	672,595
15													
16 S '74	53,462	7,413	7,413	46,049	20,260,1	27,437,399	0.08447	442,058	1,962	233,475	2,299	196	679,990
17 O	50,684	4,635	7,413	46,049	131,977	27,136,023	0.09882	438,981	905	269,462	2,299	196	711,251
18 N	48,133	2,084	7,413	46,049	193,640	25,798,360	0.10305	431,503	922	267,848	2,299	196	702,763
19 D	57,452	5,403	7,413	46,049	67,163	26,584,837	0.06496	434,429	1,304	173,131	2,299	196	611,259
20 J '75	56,964	7,231	7,231	49,733	57,635	30,930,361	0.06865	479,976	1,063	212,733	2,299	196	696,267
21 F	56,916	7,183	7,231	49,733	441,344	30,122,650	0.07889	481,121	1,504	241,119	2,299	196	726,239
22 M	56,839	7,106	7,231	49,733	120,715	32,505,285	0.07889	491,008	1,491	257,387	2,299	196	752,321
23 A	55,595	5,862	7,231	49,733	36,851,7	37,264,483	0.07889	480,230	1,624	241,664	2,299	196	726,613
24 M	50,779	1,046	7,231	49,733	25,290	28,406,710	0.07889	463,487	1,603	224,332	2,299	196	691,917
25 J	49,976	2,46	7,231	49,733	27,744	27,008,506	0.06261	463,747	2,112	175,546	2,299	196	644,200
26 J	57,567	1,834	7,231	49,733	20,091,0	26,304,090	0.06261	452,942	2,126	165,748	2,299	196	623,511
27 A	53,622	3,889	7,231	49,733	37,443	28,420,567	0.06261	469,218	1,950	180,285	2,299	196	653,942
28 TOTAL					246,573	341,719,277		5,529,308	18,566	264,3230	27,518	2,352	8,221,044
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STATEMENT OF SALES AND REVENUES
R-2 RATE INCLUDING SUBSTITUTE FUEL
CLAUSE

THE CONNECTICUT LIGHT & POWER COMPANY EXHIBIT R-2
BOROUGH OF JEWETT CITY
PROPOSED RATE - BILL CALCULATIONS
PERIOD 1 - PERIOD 2

DATE	ACTUAL DEMAND	ACTUAL PEAKING DEMAND	BILLING PEAKING DEMAND	BASE- INTERMEDIATE DEMAND	PEAKING KWH	BASE- INTERMEDIATE KWH	RKVA	FUEL ADJUSTMENT FACTOR	RATE REVENUE	RKVA REVENUE	FUEL REVENUE	FACILITIES CHARGES	PROPERTY TAXES	GRAND TOTAL
1 S '23	ACTUAL	2,399	593	764	1,701	12,894	9,674.20	000110	18,569	-	1,108	2583	196	21,056
2 O	-	2,243	442	764	1,801	5,902	9,22,806	000975	18,168	-	905	2583	196	21,252
3 N	-	2,255	434	764	1,801	21,753	9,73,354	002589	18,750	-	2,576	2583	196	24,135
4 D	-	2,240	439	764	1,801	19,581	1,052,643	002848	19,218	-	3,054	2583	196	25,051
5 J '24	-	2,157	211	618	1,944	17,044	1,072,724	002456	19,169	-	3,221	2583	196	25,059
6 F	-	2,090	144	618	1,944	41,650	936,734	002701	19,008	-	2,643	2583	196	25,020
7 M	-	1,835	-	618	1,944	17,623	1,055,009	004554	19,366	-	4,885	2583	196	27,020
8 A	-	1,835	-	618	1,944	16,024	8,589,31	007592	17,132	-	6,567	2583	196	27,278
9 M	-	1,613	-	618	1,944	-	89,0256	007929	18,032	-	7,059	2583	196	27,275
10 J	-	1,928	-	453	1,944	6,608	904,364	006010	17,573	-	5,478	2583	196	25,805
11 J	EST.	2,197	251	594	1,944	18,344	9,25,656	006570	18,372	-	6,163	2583	196	27,314
12 A	-	2,258	315	594	1,944	33,477	991,503	007030	19,136	-	7,206	2583	196	28,121
13 TOTAL						194,910	11,551,930		223,603		49,865	30,196	2,352	306,816
14														
15														
16 S '24	EST.	2,386	440	394	1,944	12,932	9,630,62	008447	18,619	-	8,244	2583	196	29,642
17 Q	-	2,234	283	594	1,944	5,791	9,192,19	009882	18,224	-	9,141	2583	196	30,144
18 N	-	2,050	104	594	1,944	19,761	8,142,39	010305	18,230	-	9,316	2583	196	30,225
19 D	-	2,228	232	594	1,944	19,483	1,047,517	006496	19,263	-	6,931	2583	196	28,973
20 J '25	-	2,545	472	482	2,063	17,474	1,099,526	006865	19,709	-	7,668	2583	196	30,156
21 F	-	2,695	632	632	2,063	47,381	1,065,619	007889	20,573	-	8,780	2583	196	32,132
22 M	-	2,407	344	632	2,063	18,513	1,103,487	007889	20,374	-	8,871	2583	196	32,044
23 A	-	2,291	236	632	2,063	6,708	9,24,042	007889	19,374	-	7,818	2583	196	29,991
24 M	-	1,976	-	632	2,063	-	9,70,000	007889	19,192	-	7,652	2583	196	29,623
25 J	-	2,284	221	632	2,063	7,585	1,039,415	006261	19,750	-	6,549	2583	196	29,772
26 J	-	2,339	266	632	2,063	13,035	9,70,715	006261	19,175	-	6,223	2583	196	28,977
27 A	-	2,153	330	632	2,063	35,496	1,051,514	006261	20,289	-	6,806	2583	196	29,774
28 TOTAL						304,319	22,112,611		233,092		99,019	30,196	2,352	306,459
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* NO RKVA
METER

**STATEMENT OF SALES AND REVENUES
R-2 RATE INCLUDING SUBSTITUTE FUEL
CLAUSE**

THE CONNECTICUT LIGHT & POWER COMPANY EXHIBIT 225
SECOND TAXING DISTRICT - NORWALK
PROPOSED RATE - BILL CALCULATIONS
PERIOD 1 - PERIOD 2

		1	2	3	4	5	6	7	8	9	10	11	12	13
		ACTUAL	ACTUAL	BILLING	BASE -	BASE -	FUEL	ADJUSTMENT	RATE	RKVA	FUEL	FACILITIES	PROPERTY	GRAND
		DEMAND	DEMAND	DEMAND	INTERMEDIATE	PEAKING	INTERMEDIATE	FACTOR	REVENUE	REVENUE	REVENUE	CHARGES	TAXES	TOTAL
DATE						KWH	KWH							
S '73	ACTUAL	6541	195	195	6346	17867	4092815	969	0001110	59478	452	9011	305	64246
O		6515	169	195	6346	34811	4223730	1224	000975	60546	452	9011	305	69054
N		6541	195	195	6346	31634	4066318	1224	002589	59535	10610	9011	305	74461
D		6528	182	195	6346	24895	4234625	1007	002848	60493	12131	9011	305	76940
J '74		6528			6869		4375066	995	002956	62882	12933	9011	305	80131
F		6515			6869		3977510	1823	002701	60358	10743	9011	305	75444
M		6541			6869		4262458	1836	004554	62167	19411	9011	305	85222
A		6554			6869		3887424	1619	007592	59783	29513	9011	305	92615
M		6554			6869		4106765	1403	007129	61179	32563	9011	305	94252
J		6528			6869		3813005	2053	006010	59313	22916	9011	305	86604
J	EST.	6811			6869		4441000	1447	006570	63201	29177	9011	305	96774
A		6580			6869		4469000	1375	007030	63472	31410	9011	305	99158
TOTAL						109207	49948716		733550	114	216011	48132	3660	102967
S '74	EST	6995	126	126	6869	19092	4373908	1037	008447	63684	37108	9011	305	105108
O		6885	16	126	6869	36802	4466192	1293	009882	64559	44499	9011	305	113374
N		6786		126	6869	32844	4222156	1270	010305	62945	43848	9011	305	111101
D		6954	85	126	6869	26542	4514458	11073	006496	64698	29496	9011	305	52512
J '75		5342			7281		4124000	3790	006865	63393	28311	9011	305	96364
F		5278			7281		3446000	1472	007889	59088	27125	9011	305	90610
M		5374			7281		3767000	1870	007889	61126	29718	9011	305	95234
A		6959			7281		4078000	2320	007889	63101	32171	9011	305	99669
M		6957			7281		4327000	1877	007889	64682	34136	9011	305	103153
J		6967			7281		4306000	3849	006261	64549	26960	9011	305	96120
J		7220			7281		4707000	1534	006261	67095	29471	9011	305	100822
A		6975			7281		4736000	1454	006261	67280	29652	9011	305	101248
TOTAL						115284	51067714		706200	834	392557	48132	3660	1211322

Exhibit No. _____
Docket No. _____
Page 8a
(B-5)

STATEMENT OF SALES AND REVENUES
R-2 RATE INCLUDING SUBSTITUTE FUEL
CLAUSE

THE CONNECTICUT LIGHT & POWER COMPANY EXHIBIT R-2-5
THIRD TARIFF DISTRICT - NORWALK
PROPOSED RATE - BILL CALCULATIONS
PERIOD 1 - PERIOD 2

DATE	ACTUAL DEMAND	ACTUAL PEAKING DEMAND	BILLING PEAKING DEMAND	BASE- INTERMEDIATE DEMAND	PEAKING KWH	BASE- INTERMEDIATE KWH	6 RKVA	7 ADJUSTMENT FACTOR	8 RATE REVENUE	9 RKVA REVENUE	10 FUEL REVENUE	11 FACILITIES CHARGES	12 PROPERTY TAXES	13 SEAMS TAXES
1 S '73 ACTUAL	7498	2518	2518	4980	81750	2777500	4282	000110	54343	337	315	4675	356	60526
2 O	5471	491	2518	4980	3950	2404882	2225	000975	50704	120	2349	4675	356	52204
3 N	5464	404	2518	4980	6575	2764561	2092	002584	53031	102	7174	4675	356	65328
4 D	5574	594	2518	4980	13357	2782257	2240	002844	53254	119	7962	4675	356	66366
5 J '74	6059	998	2437	5061	40120	2917064	2444	002950	54643	158	8741	4675	356	67573
6 F	5246	785	2437	5061	32478	2709282	2291	002701	53196	116	7405	4675	356	65750
7 M	5464	403	2437	5061	4901	2634043	2512	004554	52270	160	12018	4675	356	6979
8 A	5302	241	2437	5061	1844	2602828	2247	007572	52922	129	19775	4675	356	76957
9 M	5207	146	2437	5061	—	2746656	2497	007929	52905	167	21778	4675	356	79221
10 J	5830	1769	2437	5061	89174	2564458	2673	006010	53206	135	15948	4675	356	74320
11 J EST	6948	1887	2437	5061	221433	3127567	3925	006570	58944	306	22003	4675	356	81224
12 A	7306	2245	2438	5061	317984	3094016	3972	007030	60313	300	23926	4675	356	84630
13 TOTAL					813572	33125124			642833	2149	149454	56100	4272	86282
14														
15														
16 S EST	7470	2409	2409	5061	81377	2764623	4265	008447	54239	336	24040	4675	356	83646
17 O	5450	389	2409	5061	3932	2394068	2216	009882	50620	119	23697	4675	356	79427
18 N	5442	381	2409	5061	6546	2752454	2084	010305	52932	101	28431	4675	356	86501
19 D	5544	483	2409	5061	13297	2767703	2228	006496	53158	118	18078	4675	356	76325
20 J '75	6514	1149	2105	5365	47543	3450457	2691	006865	58435	149	24055	4675	356	87670
21 F	6194	829	2105	5365	35435	2955565	2645	007889	55056	160	23596	4675	356	83843
22 M	5548	183	2105	5365	5315	2856485	2449	007889	53976	149	22576	4675	356	81614
23 A	5647	282	2105	5365	1971	2793021	2484	007889	53477	150	22050	4675	356	80720
24 M	5036	—	2105	5365	—	2614000	2233	007889	52308	135	20622	4675	356	78796
25 J	7476	2111	2111	5365	99988	2875012	3971	006261	55624	294	18626	4675	356	79375
26 J	7365	2000	2111	5365	234719	3315281	4161	006261	60622	325	22227	4675	356	82205
27 A	7744	2379	2111	5365	337063	3279937	4210	006261	62071	318	27646	4675	356	86666
28 TOTAL					867194	34826306			662484	7354	270646	56100	4272	95856
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STATEMENT OF SALES AND REVENUES
R-2 RATE INCLUDING SUBSTITUTE FUEL
CLAUSE

THE CONNECTICUT LIGHT & POWER COMPANY EXHIBIT R-2
CITY OF NORWICH
PROPOSED RATE - BILL CALCULATIONS
PERIOD 1 - PERIOD 2

DATE	ACTUAL DEMAND	ACTUAL PEAKING DEMAND	BILLING PEAKING DEMAND	BASE- INTERMEDIATE DEMAND	PEAKING KWH	BASE- INTERMEDIATE KWH	RKVA	FUEL ADJUSTMENT FACTOR	RATE REVENUE	RKVA REVENUE	FUEL REVENUE	FACILITIES CHARGES	PROPERTY TAXES	GRAND TOTAL
S '73 ACTUAL	27,448	1,809	2,270	27,639	30,338	4,085,430	9809	000110	240,138	343	1,553	1,470	93	243,597
O	27,459	1,820	2,270	27,639	6,544	15,702,336	6,166	000975	25,2755	153+2	1,470	1,470	93	267,600
N	27,160	1,521	2,270	27,639	8,5403	14,254,337	6,480	002589	24,3552	1,470	1,470	1,470	93	286,778
D	27,616	1,977	2,270	27,639	10,227	15,813,089	6,720	002848	25,2264	1,470	1,470	1,470	93	299,154
J '74	27,736	1,56	1,774	27,760	17,7743	15,708,737	6,624	002956	25,3549	1,470	1,470	1,470	93	302,267
F	27,424	644	1,774	27,780	11,0917	14,649,843	6,936	002701	24,5743	1,470	1,470	1,470	93	227,75
M	27,544	714	1,774	27,780	8,561	14,072,239	7,032	004554	25,488	1,470	1,470	1,470	93	329,725
A	27,548	781	1,774	27,780	6,8217	13,702,783	6,960	007592	24,5993	1,470	1,470	1,470	93	342,4
M	28,344	-	1,774	27,780	12,716	14,721,404	8,308	007929	24,5862	1,470	1,470	1,470	93	365,24
J	30,528	1,748	1,748	28,780	11,9244	13,406,576	10,368	006010	24,1633	1,470	1,470	1,470	93	327,108
J EST.	29,026	246	1,261	27,780	20,889	15,087,811	8,369	006570	25,1262	1,470	1,470	1,470	93	353,227
A	27,189	409	1,261	27,780	4,57634	14,933,361	8,658	007030	25,411	1,470	1,470	1,470	93	364,210
TOTAL									247,700	1,314	776,748	16,865	1,116	377,743
S '74 EST.	30,144	2,364	2,364	28,780	32,119	14,885,881	10,373	008447	25,1430	1,470	1,470	1,470	93	379,212
O	28,152	-	2,364	28,780	6,2519	14,970,481	6,457	009882	25,2465	1,470	1,470	1,470	93	402,29
N	27,150	-	2,364	28,780	8,603	14,261,397	6,189	010305	24,1274	1,470	1,470	1,470	93	377,427
D	27,263	483	2,364	28,780	9,2167	15,621,833	6,400	006496	25,086	1,470	1,470	1,470	93	360,572
J '75	30,512	11	637	30,507	17,7315	15,722,085	5,366	006865	26,1145	1,470	1,470	1,470	93	371,707
F	30,544	37	637	30,507	12,0497	15,915,503	7,763	007889	24,1434	1,470	1,470	1,470	93	329,362
M	31,343	1,336	1,336	30,507	9,0407	17,041,393	4,033	007889	27,0449	1,470	1,470	1,470	93	407,411
A	30,248	-	1,336	30,507	7,1196	14,557,804	5,208	007889	25,4761	1,470	1,470	1,470	93	371,577
M	27,701	-	1,336	30,507	12,772	14,986,228	8,491	007889	25,5426	1,470	1,470	1,470	93	376,410
J	30,212	-	1,336	30,507	14,3587	16,060,413	9,841	006261	26,5412	1,470	1,470	1,470	93	362,665
J	30,768	261	1,336	30,507	22,1740	15,993,260	11,711	006261	26,6337	1,470	1,470	1,470	93	369,332
A	30,140	433	1,336	30,507	4,85092	15,881,408	9,177	006261	26,9932	1,470	1,470	1,470	93	374,20
TOTAL					159,814	152,981,86			3,1157,3	1,214	1,434,451	15,780	1,116	4,562,20

STATEMENT OF SALES AND REVENUES
-2 RATE INCLUDING SUBSTITUTE FUEL
CLAUSE

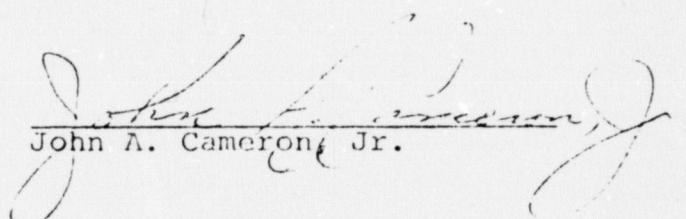
THE CONNECTICUT LIGHT & POWER COMPANY EXHIBIT 26-5
TOWN OF WALLINGFORD
PROPOSED RATE - BILL CALCULATIONS
PERIOD 1 - PERIOD 2

		1	2	3	4	5	6	7	8	9	10	11	12	13	
		ACTUAL	ACTUAL	BILLING	BASE-	BASE-	FUEL			FUEL		FACILITIES	PROPERTY	GRAND	
		DEMAND	DEMAND	PEAKING	INTERMEDIATE	PEAKING	INTERMEDIATE	ADJUSTMENT	RATE	REVENUE	REVENUE	CHARGES	TAXES	TOTAL	
				DEMAND	DEMAND	KWH	KWH	FACTOR	REVENUE	REVENUE	REVENUE				
S. 73	ACTUAL	43,750	2,064	2,164	41,686	73,168	24,276,832	254.50	000110	376,896	2,032	2,679	1,385	112	383,104
O		43,350	1,664	2,164	41,686	49,944	22,580,056	203.50	000975	372,092	1,360	23,039	1,385	112	397,922
N		43,700	2,014	2,164	41,686	154,790	24,261,210	201.00	002589	371,176	1,355	63,231	1,385	112	444,259
D		44,000	2,314	2,314	41,686	329,04	22,447,096	223.00	002848	369,325	1,582	65,447	1,385	112	437,911
T. 74		43,950	808	858	43,142	1,039,057	26,239,442	111.50	002956	407,443	1,143	80,637	1,385	112	499,725
F		44,000	858	858	43,142	31,316	25,223,674	137.00	002701	384,519	1,071	68,214	1,385	112	455,322
M		44,100	958	958	43,142	32,367	25,244,633	138.00	004554	385,079	1,669	15,116	1,385	112	502,361
A		43,900	758	758	43,142	71,536	26,325,444	147.50	007592	392,566	1,229	200,406	1,385	112	594,458
M. L.		43,900	758	758	43,142	11,534	26,119,466	108.50	007929	387,102	1,111	203,228	1,385	112	591,827
I		44,000	858	858	43,142	1,810,010	26,143,970	103.50	006010	393,318	1,111	158,255	1,385	112	552,676
I	EST	41,628	-	2,395	43,142	1,015,643	24,209,137	253.10	006570	385,285	2,084	159,723	1,385	112	548,501
A		42,839	-	2,395	43,142	213,073	25,134,422	268.70	007030	385,397	2,262	180,095	1,385	112	579,251
TOTAL						2,170,567	24,213,433			4,627,263	14,096	1,320,070	16,620	1,344	5,979,293
S. 74	EST.	43,941	805	2,395	43,142	73,425	24,401,575	255.60	008447	386,042	2,040	206,740	1,385	112	596,319
O		44,081	939	2,395	43,142	50,691	22,573,309	209.00	009882	382,951	1,382	237,405	1,385	112	622,226
N		40,631	-	2,395	43,142	144,000	22,569,000	111.50	010305	375,559	1,259	239,057	1,385	112	612,272
D		45,397	2,255	2,395	43,142	140,899	24,236,101	230.10	006496	386,095	1,633	157,353	1,385	112	575,782
T. 75		48,269	2,538	2,538	45,731	900,846	23,751,104	273.70	006865	402,884	2,145	162,371	1,385	112	568,277
F		46,704	973	2,538	45,731	30,867	24,262,133	226.63	007889	402,064	1,532	196,581	1,385	112	600,425
M		47,424	1,693	2,538	45,731	24,617	26,190,373	131.74	007889	410,560	1,997	206,889	1,385	112	619,442
A		46,656	925	2,538	45,731	67,897	24,186,163	244.54	007889	403,457	1,791	197,651	1,385	112	604,356
M. L.		44,474	1,257	2,538	45,731	11,047	24,538,953	174.58	007889	399,688	1,223	193,675	1,385	112	585,742
I		43,230	2,501	2,538	45,731	163,280	22,704,720	214.29	006261	390,530	2,467	143,177	1,385	112	537,671
I		44,126	1,605	2,538	45,731	107,775	25,442,015	267.29	006261	402,404	2,212	161,346	1,385	112	573,559
A		45,409	322	2,538	45,731	300,063	26,754,937	214.32	006261	419,120	2,398	170,017	1,385	112	583,632
TOTAL						2,025,657	24,173,342			4,167,354	20,751	2,268,062	16,620	1,344	7,074,121

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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of
the foregoing document upon all parties of record on
this the 3rd day of January, 1975.


John A. Cameron, Jr.

